



Docket No.: 58748((70342)  
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Takeshi Sakamoto et al.

Application No.: 10/805,684

Confirmation No.: 8548

Filed: March 19, 2004

Art Unit: 1645

For: FHOS-INTERACTING PROTEINS AND USE  
THEREOF

Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notice to File Missing Parts of Application mailed June 7, 2004, Applicant respectfully submits a Combined Declaration and Power of Attorney, the Filing Fee for the Application (as shown on accompanying Fee Transmittal), 3 Sequence Listing CDs, a Sequence Listing Transmittal, a Preliminary Amendment, and Part 2 Copy of Notice.

Our check in the amount of \$2,204.00 covering the fee set forth in 37 CFR 1.17(a)(3), 1.16(e), 1.16(a), 1.16(b), and 1.21(h) is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by

The PTO ~~will~~ receive the following  
listed item(s) 3 CDs ~~including~~ line  
bills

this firm) to our Deposit Account No. 04-1105, under Order No. 58748(70342). A duplicate copy of this paper is enclosed.

Dated: October 19, 2004

Respectfully submitted,

By

  
David G. Conlin

Registration No.: 27,026  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 439-4444  
Attorney for Applicant



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**SUBMITTAL OF COMPACT DISC OF SEQUENCE LISTING (37 CFR 1.52(e))**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith in lieu of a paper copy of the Sequence Listing and in accordance with 37 CFR 1.52(e) are two (2) copies of CD-R compact discs, labeled Copy 1 and Copy 2, of the Sequence Listing. The two compact discs are identical.

Also submitted is one (1) CD-R containing the computer readable form (CRF) of the Sequence Listing in accordance with 37 CFR 1.824.

The compact discs are formatted from a(n) IBM-PC and are compatible with MS-DOS. This file was created on August 30, 2004. The Sequence Listing contained

on the enclosed CDs is understood to comply with the requirements of 37 CFR 1.52 and 37 CFR 1.821-1.825.

Dated: October 19, 2004

Respectfully submitted,

By

  
David G. Conlin  
Registration No.: 27,026  
EDWARDS & ANGELL, LLP  
P.O. Box 55874  
Boston, Massachusetts 02205  
(617) 439-4444  
Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no person are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 2,204.00)

**Complete if Known**

Application Number	10/805,684-Conf. #8548
Filing Date	March 19, 2004
First Named Inventor	Takeshi Sakamoto
Examiner Name	Not Yet Assigned
Art Unit	1645
Attorney Docket No.	58748(70342)

**METHOD OF PAYMENT (check all that apply)**

Check  Credit Card  Money Order  Other  None

**Deposit Account:**

Deposit Account Number	04-1105
Deposit Account Name	Edwards & Angell, LLP

**The Director is authorized to: (check all that apply)**

Charge fee(s) indicated below  Credit any overpayments

Charge any additional fee(s) or any underpayment of fee(s)

Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)
1051	130	2051	65 Surcharge - late filing fee or oath
1052	50	2052	25 Surcharge - late provisional filing fee or cover sheet
1053	130	1053	130 Non-English specification
1812	2,520	1812	2,520 For filing a request for ex parte reexamination
1804	920*	1804	920* Requesting publication of SIR prior to Examiner action
1805	1,840*	1805	1,840* Requesting publication of SIR after Examiner action
1251	110	2251	55 Extension for reply within first month
1252	430	2252	215 Extension for reply within second month
1253	980	2253	490 Extension for reply within third month
1254	1,530	2254	765 Extension for reply within fourth month
1255	2,080	2255	1,040 Extension for reply within fifth month
1401	340	2401	170 Notice of Appeal
1402	340	2402	170 Filing a brief in support of an appeal
1403	300	2403	150 Request for oral hearing
1451	1,510	1451	1,510 Petition to institute a public use proceeding
1452	110	2452	55 Petition to revive - unavoidable
1453	1,370	2453	685 Petition to revive - unintentional
1501	1,370	2501	685 Utility issue fee (or reissue)
1502	490	2502	245 Design issue fee
1503	660	2503	330 Plant issue fee
1460	130	1460	130 Petitions to the Commissioner
1807	50	1807	50 Processing fee under 37 CFR 1.17(q)
1806	180	1806	180 Submission of Information Disclosure Stmt
8021	40	8021	40 Recording each patent assignment per property (times number of properties)
1809	790	2809	395 Filing a submission after final rejection (37 CFR 1.129(a))
1810	790	2810	395 For each additional invention to be examined (37 CFR 1.129(b))
1801	790	2801	395 Request for Continued Examination (RCE)
1802	900	1802	900 Request for expedited examination of a design application
Other fee (specify)			

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3) (\$ 1,150.00)**

\*\*or number previously paid, if greater; For Reissues, see above

**SUBMITTED BY**

(Complete if applicable)

Name (Print/Type)	David G. Conlin	Registration No. (Attorney/Agent)	27,026	Telephone	(617) 439-4444
Signature				Date	October 19, 2004



Application No. (if known): 10/805,684

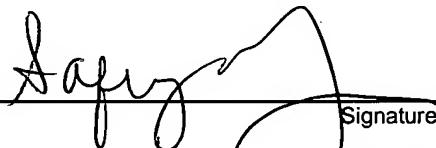
Attorney Docket No.: 58748(70342)

## Certificate of Express Mailing Under 37 CFR 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Airbill No. EV 517913354 US in an envelope addressed to:

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on October 20, 2004  
Date



Signature

Safiya Jarvis  
Typed or printed name of person signing Certificate

@@@  
Registration Number, if applicable

(617) 439-4444  
Telephone Number

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)  
Declaration and POA for Patent Application (4 pages)  
Filing Fee for the Application (as shown on accompanying Fee Transmittal)  
Preliminary Amendment  
Part 2 Copy of Notice  
Three Month Request for Extension of Time Under 37 CFR 1.136(a) (2 pages)  
Response to Notice to File Missing Parts of Application (2 pages)  
Submittal Of Compact Disc Of Sequence Listing (37 CFR 1.52(e)) (2 pages)  
Check in the amount of \$2,204.00  
Assignment with Recordation Cover Sheet  
Return Receipt Postcard



Docket No.: 58748 (70342)  
(PATENT)

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In re Patent Application of:  
Takeshi Sakamoto et al.

Application No.: 10/805,684

Confirmation No.: 8548

Filed: March 19, 2004

Art Unit: 1645

For: FHOS-INTERACTING PROTEINS AND USE  
THEREOF      Examiner: Not Yet Assigned

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS  
FOR PATENT APPLICATION CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

MS Sequence  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures, dated June 7, 2004. Applicants are submitting their response herewith within the three-month response period extension set to expire on November 7, 2004.

The U.S. Patent and Trademark Office has taken the position that the application "Sequence Listing" be provided in computer readable with the requirements of Section 1.821(e), 1.821 (f), 1.821 (g), 1.825 (b), or 1.825 (d). Submitted herewith in connection with the above-referenced patent application is a computer readable form copy of the Sequence Listing. No new matter has been added to the CD Sequence Listing.

Applicants respectfully request the above-referenced patent application be placed upon the files for examination.

Dated: October 20, 2004

Respectfully submitted,

By 

David G. Conlin

Registration No.: 27,026

EDWARDS & ANGELL, LLP

P.O. Box 55874

Boston, Massachusetts 02205

(617) 439-4444

Attorney for Applicant



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/805,684	03/19/2004	Takeshi Sakamoto	58748 (70342)

21874  
EDWARDS & ANGELL, LLP  
P.O. BOX 55874  
BOSTON, MA 02205

CONFIRMATION NO. 8548

## FORMALITIES LETTER



\*OC000000012890440\*

Date Mailed: 06/07/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

### *Filing Date Granted*

#### **Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- This application clearly fails to comply with the requirements of 37 CFR 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

790.00  
130.00  
264.00

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of **\$10774** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

**SUMMARY OF FEES DUE:**

Total additional fee(s) required for this application is **\$11674** for a Large Entity

- **\$770** Statutory basic filing fee.
- **\$130** Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is **\$10774**
  - **\$2924** for 34 independent claims over 3.
  - **\$7560** for 420 total claims over 20.
  - **\$290** for multiple dependent claim surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE